

### **REMARKS**

The following claims are pending in the application: 1 – 3 and 5 - 20.

The following claim was previously canceled: 4.

As a result of the foregoing Amendment, the following claims remain pending in the application: 1 – 3 and 5 – 20.

#### **The Rejection of the Claims Under 35 U.S.C. §103(a)**

The Examiner rejected claims 1-3, 5-10, 12-14, and 16-20 under 35 U.S.C. §103(a) as being unpatentable over Sartain et al. (U.S. Patent No. 5,914,712) in view of Lewis et al. (U.S. Patent No. 4,852,154). The Examiner rejected claim 11 under 35 U.S.C. §103(a) as being unpatentable over Sartain et al. in view of Lewis et al. and further in view of Hendricks et al (U.S. Patent No. 6,160,989). The Examiner rejected claim 15 under 35 U.S.C. §103(a) as being unpatentable over Sartain et al. in view of Lewis et al. and further in view of Stoel et al (U.S. Patent No. 5,905,942). Each of these rejections is respectfully traversed.

The Applicants have distinguished the claimed subject matter from the teachings of Sartain et al. and Hendricks et al. As the Applicants believe independent claim 1 to now recite allowable subject matter, claim 11, which depends therefrom, would also be allowable.

The Applicants have distinguished the subject matter of independent claim 14 from the teachings of Sartain et al. and Lewis et al. and Stoel. As the Applicants believe independent claim 14 to now recite allowable subject matter, claim 15, which depends therefrom, would also be allowable.

Each of the independent claims now includes the limitation that each event is associated with its own called number. The claims are now believed to be in allowable form. The cited art taken in any combination does not render obvious the claims as they are now presented. None of the references teach or suggest the ordering of a cable television event using a switch and an automated voice response application in combination with the use of the calling number and the called number to identify the caller and the event and provide the event to the caller. Sartain is dependent on a separate identification number. In particular, in column 3, lines 13-15, Sartain explains, "Each available video has an associated identification number to facilitate the automatic ordering of these videos[.]" As further explained in column 3, lines 1-7, Sartain requires a calling subscriber to call a particular number (e.g., a "1-800" number) as well as provide a particular video identification number in order to select a desired video program. Sartain only recognizes the use of multiple "1-800" and/or "1-900" numbers to distinguish different selection types (e.g., to distinguish between regular selecting, the selection of multiple videos at one time, promotional activities, the ordering of video-related products, etc.) As a result, in each type of video selection, a video identification number is still required to identify a particular video. Sartain does not teach or suggest that each video is associated with its own called number. The Examiner apparently agrees that Sartain does not teach that each event is associated with its own called

number to identify an event for ordering. The claims contain this limitation. Also, as the Examiner indicates, Sartain is a video program ordering system and not a cable television based system. Lewis is a cable television based system, but Lewis does not teach a voice response application in association with the switch. A voice response application has been and continues to be a part of each independent claim. With Lewis it does not appear that the caller is able to interact with a voice response system, but instead is left to hope that he dialed the right number. In light of the above reasons, there is no motivation to combine the references as suggested by the Examiner. Moreover, a combination of the teachings of Sartain and Lewis still would not produce the present invention for the reasons stated above.

**CONCLUSION**

In view of the foregoing amendment and accompanying remarks, the Applicants respectfully submit that the present application is properly in condition for allowance and may be passed to issuance upon payment of the appropriate fees.

Telephone inquiry to the undersigned in order to clarify or otherwise expedite prosecution of the subject application is respectfully encouraged.

Respectfully submitted,

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### **DRAWING CORRECTIONS**

Applicant has corrected the drawings in accordance with the Examiner's comments. More particularly, figure 2 has been corrected to remove the background shading in the decision blocks. Replacement drawing sheets are enclosed herewith.